

PATENT

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Bryan C. Gebhardt, Kalpesh R. Patel, Allan C. Thygesen,
Steve Berriatua, Christopher J. Michel

SERIAL NO.: 09/333,724

FILING DATE: June 15, 1999

TITLE: AUTOMATIC CONTROL OF BROADCAST AND EXECUTION OF INTERACTIVE
APPLICATIONS TO MAINTAIN SYNCHRONOUS OPERATION WITH
BROADCAST PROGRAMS

EXAMINER: Unknown

GROUP ART UNIT: 2711

ATTY. DKT. NO.: 3550

BOX MISSING PARTS
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION

SIR:

Responsive to Form PTO-1533 dated July 15, 1999 received in the above-identified
patent application, enclosed are:

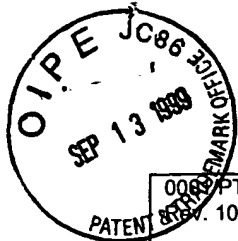
- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original, signed Declaration; and
- ☒ payment in the amount of \$1,094.00 for the surcharge.

Respectfully submitted,
BRYAN C. GEBHARDT, ET AL.

Dated: September 10, 1999

By: Robert R. Sachs

Robert R. Sachs, Registration No. 42,120
FENWICK & WEST LLP
Two Palo Alto Square
Palo Alto, CA 94306
Tel.: (650) 858-7110
Fax.: (650) 494-1417



SECTOR #
+

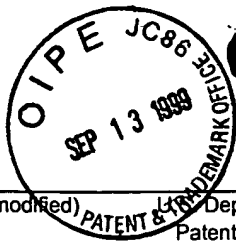
PTO/SB/21 (modified)
Approved for use through xx/xx/xx, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	Application Number	09/333,724		
	Filing Date	June 15, 1999		
	First Named Inventor	Bryan C. Gebhardt		
	Group Art Unit Number	2711		
	Examiner Name	Unknown		
Total Number of Pages in This Submission		7	Attorney Docket Number	3550

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> Assignment & Recordation Cover Sheet <input checked="" type="checkbox"/> Declaration <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) [] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:	Robert R. Sachs		
Attorney/Reg. No.:	Robert R. Sachs, Registration No. 42,120	Dated:	September 10, 1999

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:	Robert R. Sachs		
Typed or Printed Name:	Robert R. Sachs	Dated:	September 10, 1999
Express Mail Mailing Number (optional):			



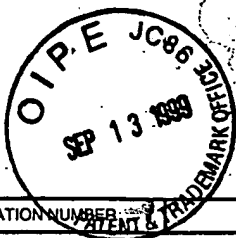
PTO/SB/17 (6-95)(modified)
Approved for use through 11/30/96, OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Complete if Known	
		Application Number	09/333,724
		Filing Date	June 15, 1999
		First Named Inventor	Bryan C. Gebhardt
		Group Art Unit	2711
		Examiner Name	Unknown
FEE TRANSMITTAL		Attorney Docket Number	3550
TOTAL AMOUNT OF PAYMENT			
Subtotal (1) + Subtotal (2) + Subtotal (3) =		(\$) 1,094.00	

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																							
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. ¹ <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account. Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: [X] Check [] Other		3. ADDITIONAL FEES <table border="1"><thead><tr><th>Large Entity Fee Code/Fee</th><th>Small Entity Fee Code/Fee</th><th>Fee Description</th><th>Fee Due</th></tr></thead><tbody><tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr><tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month[†]</td><td></td></tr><tr><td>116/\$380</td><td>216/\$190</td><td>Extension for response within second month[†]</td><td></td></tr><tr><td>117/\$870</td><td>217/\$435</td><td>Extension for response within third month[†]</td><td></td></tr><tr><td>118/\$1,360</td><td>218/\$680</td><td>Extension for response within fourth month[†]</td><td></td></tr><tr><td>128/\$1,850</td><td>228/\$925</td><td>Extension for response within fifth month[†]</td><td></td></tr><tr><td>119/\$300</td><td>219/\$150</td><td>Notice of Appeal</td><td></td></tr><tr><td>141/\$1,210</td><td>241/\$605</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr><tr><td>142/\$1,210</td><td>242/\$605</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr><tr><td>143/\$430</td><td>243/\$215</td><td>Design Issue Fee</td><td></td></tr><tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123/\$50</td><td>123/\$50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126/\$240</td><td>126/\$240</td><td>Submission of Information Disclosure Statement</td><td></td></tr><tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146/\$760</td><td>246/\$380</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149/\$760</td><td>249/\$380</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr><tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr><tr><td colspan="2"></td><td>SUBTOTAL (3)</td><td>(\$)130.00</td></tr></tbody></table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath	130	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month [†]		116/\$380	216/\$190	Extension for response within second month [†]		117/\$870	217/\$435	Extension for response within third month [†]		118/\$1,360	218/\$680	Extension for response within fourth month [†]		128/\$1,850	228/\$925	Extension for response within fifth month [†]		119/\$300	219/\$150	Notice of Appeal		141/\$1,210	241/\$605	Petition to revive unintentionally abandoned application		142/\$1,210	242/\$605	Utility Issue Fee (Or Reissue)		143/\$430	243/\$215	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		123/\$50	123/\$50	Petitions related to provisional applications		126/\$240	126/\$240	Submission of Information Disclosure Statement		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)		146/\$760	246/\$380	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$760	249/\$380	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):						SUBTOTAL (3)	(\$)130.00														
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SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Robert R. Sachs	Reg. Number	42,120
Signature	<i>Robert R. Sachs</i>	Date	September 10, 1999

¹ Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/333,724

06/15/99

GEBHARDT

B. 3550

0212/0715

ROBERT R SACHS ESQ
FENWICH & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO CA 94306

NOT ASSIGNED

DATE MAILED: 2711

07/15/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 1094.00.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 120.00 for 7 total claims over 20.

\$ 78.00 for independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

09/15/1999 HLE111 00000007 09333724
01 FC:101 760.00 OP
02 FC:105 130.00 OP
03 FC:103 125.00 OP
04 FC:102 78.00 OP